IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.600 OF 2007
IN
CRIMINAL APPEAL NO.485 OF 2007

Imtiyaj @ Imma Shoukat Sayed .. Applicant
V/s
The State of Maharashtra .. Respondent

Mr.Saeeda Shaikh for Applicant.
Dr.F.R.Shaikh, APP for State.

CORAM : DR.S.RADHAKRISHNAN, &
SMT.R.S.DALVI, JJ.

DATE : 10th August, 2007.

P.C.:

1. Heard the learned Counsel for the Applicant and the learned APP for the State. Perused the Trial Court's Judgment as well as the evidence. We find from the same that the applicant being the original Accused No.2 had attacked the deceased with the knife and had stabbed in the stomach and ribs, and all the three eye witnesses have corroborrated the involvement of Accused No.2, the Applicant herein in the crime. Even the clothes fo the Accused as well as the knife were recovered. The contention of the learned Counsel for the Applicant is that the Accused No.2 was involved only in a sudden fight and the evidence of the witnesses was contradictory. However, on a perusal of the evidence we find no contradiction whatsoever on material aspects. Under the facts and circumstances of this case, this is not the conviction based on no legal evidence. We are not inclined to grant bail. Hence, Application for bail is rejected.

2. Applicant is at liberty to move this Court for expeditious hearing of an appeal, after filing the private paper book.

(SMT.R.S.DALVI, J.) **(DR.S.RADHAKRISHNAN,J.)**